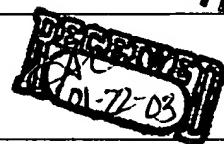


**Carstens,
Yee &
Cahoon, L.L.P.**

13760 Noel Road
Suite 900
Dallas, Texas 75240

Main No. (972) 367-2001
Facsimile (972) 367-2002

Facsimile Cover Sheet



To: Assistant Commissioner of Patents for Examiner Suresh Suryawanshi Group Art Unit 2185	Facsimile No.: 703/746-7239
From: Dell Whitton Legal Assistant to Stephen R. Tkacs	No. of Pages Including Cover Sheet: 18
<p>Message:</p> <p>Enclosed herewith:</p> <ul style="list-style-type: none"> • Transmittal Document; and • Response to Office Action. 	
<p>Re: Application No. 09/527,398 Attorney Docket No: AUS000147US1</p>	
<p>Date: Wednesday, January 22, 2003</p>	
<p>Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</p>	<p><i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i></p>

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aguilar et al.

§ Group Art Unit: 2185

Serial No.: 09/527,398

§ Examiner: Suryawanshi, Suresh

Filed: March 16, 2000

§ Attorney Docket No.: AUS000147US1

§

For: Method and Apparatus for
Updating Boot Code in a Data
Processing System on a Local Storage
Device

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via
facsimile to the Assistant Commissioner of Patents, Washington,
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2003.

By:

Dell Whitton


TRANSMITTAL DOCUMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

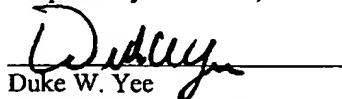
Sir:

ENCLOSED HEREWITH:

- Response to Office Action; and
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No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted,


 Duke W. Yee
 Registration No. 34,285
 CARSTENS, YEE & CAHOON, LLP
 P.O. Box 802334
 Dallas, Texas 75380
 (972) 367-2001
 ATTORNEY FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **Aguilar et al.** §
§
§
Serial No.: **09/527,398** § Group Art Unit: **2185**
§
Filed: **March 16, 2000** § Examiner: **Suryawanshi, Suresh**
§
For: **Method and Apparatus for** § Attorney Docket No.: **AUS000147US1**
Updating Boot Code in a Data
Processing System on a Local Storage §
Device

Certificate of Transmission Under 37 C.F.R. § 1.8(a)
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Washington, D.C. 20231, facsimile number (703) 746-7239,
on January 22, 2003.

By: Dell Whitton
Dell Whitton

RESPONSE TO OFFICE ACTION

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

In response to the Office Action dated November 1, 2002, please amend the above-identified application as follows: